

APPROVED: Meeting No. 25-97

ATTEST: *Paula S. Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 12-97

March 10, 1997

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on February 10, 1997, at 7:32 p.m.

(City Clerk's Note: On February 27, 1997, upon motion of Councilmember Marrinan, duly seconded and unanimously passed with Mayor Krasnow, Councilmembers Dorsey, Harrison, Marrinan and Wright voting "aye," the Mayor and Council convened in Executive Session at 6:07 p.m., pursuant to Section 10-508(a)(7) of the State Government Article, Annotated Code of Maryland, to consult with counsel to obtain legal advice about the Rockville Housing Authority audit. The Executive Session was held in the City Manager's Conference Room.)

(City Clerk's Note: Also, on March 3, 1997, upon motion of Councilmember Marrinan, duly seconded and unanimously passed, with Mayor Krasnow, Councilmembers Dorsey, Harrison, Marrinan and Wright voting "aye," the Mayor and Council convened in Executive Session at 7:33 p.m., pursuant to Section 10-508(a)(1)(ii) and (7) of the State Government Article, Annotated Code of Maryland, to discuss a personnel matter and to consult with counsel to obtain legal advice. The Executive Session was held in the City Manager's Conference Room.)

PRESENT

Mayor Rose G. Krasnow

Councilmember Robert E. Dorsey

Councilmember James T. Marrinan

Councilmember Robert J. Wright

Councilmember Glennon J. Harrison

In attendance: City Manager Rick Kuckkahn, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Mr. Kuckkahn reported on the Twinbrook Recreation Center Open House held March 8. Visitors had an opportunity to see proposals for the proposed center and ask questions and comments concerning the design and construction aspects of the project.

Staff will be looking in the issue of parking in order to minimize the impact on the Twinbrook neighborhood. Mr. Kuckkahn thanked the community for their continued participation, and expressed appreciation to the Mayor and Council for their support and participation at the Open House.

2. The City submitted a funding placeholder request to Montgomery County Government and to WSSC to allocate funding through their capital improvements programs for the Watts Branch Sewer project. The proposal allocates expenditures through a three-year period and includes approximately \$1.3 million for county support and \$3.5 million for developer support. Mr. Kuckkahn noted that the actual construction portion of the project will take place all at once. If a pump around option is pursued, disruptions to individual neighborhoods should not exceed 1-2 months.

3. The City's white-tailed deer aerial survey will take place March 24-26. Elmo Air Center, Inc. will conduct the survey, and the City will send out announcements to let residents know when the low-flying planes will be in their neighborhoods. Mr. Kuckkahn reported that the City was also working with local Eagle Scouts to investigate the impact that the deer have on the City's forest understory. In addition, City Forester Rob Orndorff, will lead an April 7th workshop entitled "Your Garden and Deer" to offer advice to property owners on how to protect their landscaping from the deer. Staff is also continuing to monitor the various developments in other jurisdictions throughout the Mid-Atlantic region.

4. "Imagine Rockville" continues on March 15-16 with a second Search Conference exercise. At the Conference, participants will review the recommendations

made at the February Visioning Fair. The Committee will finalize the vision points and develop specific action plans for making the vision a reality. Final vision points and action items will be released in the next week. Residents will have a further opportunity to sign on to the action teams at the April 12-13 Action Fair.

5. The Rockville Sister City Corporation entertained guests at their annual wine tasting held on March 7, 1997. Guests enjoyed a variety of German wines, food and entertainment. Residents are reminded that they can join the Sister City Corporation by calling Betsy Thompson at (301) 309-3344. Mr. Kuckkahn remarked that 1997 was a particularly exciting year as the City is celebrating its 40th Anniversary relationship with Pinneberg Germany. Part of the celebration will include a delegation exchange visit.

The City will host the Pinneberg Girls Basketball Team on March 19, and Mr. Kuckkahn said that this was a great opportunity for residents to understand and appreciate the value of the Rockville's relationship with Pinneberg. He expressed his appreciation to the Sister City Corporation for organizing a variety of events throughout the year.

6. On March 7 and 8, Mayor Krasnow appeared before the Maryland State Senate and the House Committees responsible for evaluating bond bills to explain the City's request for funding for improvements to Glenview Mansion and the F. Scott Fitzgerald Theatre. Improvements required under the Americans With Disabilities Act, will include repairs to the slate roof and a variety of other important project elements.

7. The Mayor and Council's first Walking Town Meeting of 1997 will take

place in East Rockville on March 22. The tour will begin at the Pump House in Croydon Park. An easy-go cart will be available to carry citizens who are unable to walk the full length of the tour, and a bus will be available in the event of inclement weather. For more information regarding the Walking Town Meetings, residents are encouraged to call Thomas E. Thomas at (301) 309-3305.

8. On February 28, the Recreation Department held its 2nd Annual African-American History Celebration at the F. Scott Fitzgerald Theatre. Over 100 children, teens and staff from Beall, Twinbrook, Maryvale, David Scull and Lincoln Park participated as dancers, actors, and singers. Attendance was estimated at well over 400. The primary sponsor, Cable TV Montgomery, contributed \$1,200 as well as gift-certificates to the participants. An additional \$1,000 was raised that evening which will be donated to the Rockville Youth Scholarship Fund and the Clarence "Pint" Israel Fund. Mr. Kuckkahn commended staff from the F. Scott Fitzgerald Theatre who provided technical assistance for a production that involved over 80 children.

9. A race car show will be held April 12, from 10 am to 4 pm at the Middle Lane parking lot. The show is free to spectators and show cars and is open to sport racers, formula cars, Indy cars, stock cars, dragster, and rally cars. Pre-registration is required for show cars. For more information, call 1-800-879-4722.

Re: Presentation by Girl Scout
Service Unit #2 in Rockville.

Story Sylwester (Daisy Troop #760) reported on the past year's Scouting activities. Miss Sylwester was accompanied by, Catherine Holland and Madelaine Novak (Girl Scout Brownie Troop #1065), Catherine Yedinak (Junior Troop #2228), Elizabeth

Campbell (Cadette Troop #2329), Nicole Bates and Erin McNulty (Senior Troop #741). Jim Bates (Senior Advisor), Debbie Brimmer (Service Unit Manager), and Julie Stewart (Publicity Chairman) also accompanied the Scouts. The Scouts then distributed Girl Scout cookies to the Mayor and Council and audience.

Re: Certificates of Welcome to the
Pinneberg Girls Basketball
Team.

A team of high school girls basketball players from Pinneberg, Germany is expected to arrive on March 15. During the 3-week visit, the players will be hosted by local Rockville families and will enjoy a number of tours in Washington and Baltimore, attendance at Orioles and Bullets games, receptions, picnics and competing in basketball games with local high school teams. The delegation plans to spend one week touring in other states. The Mayor and Council presented the official welcome to Giles Benson (since there is no Mayor and Council session at the time the girls will arrive).

Re: Presentation by Rockville Sister
City Corporation to Michael
Russ, winner of a special award
in the Rockville Student Art
Show.

The Rockville Student Art Show held a special competition sponsored through the Rockville Sister City Corporation and Department of Recreation and Parks. Students ages 13-8 were invited to enter two-dimensional art work using the theme, "Impressions of My Future in the Global Community." David L'Hereux, President of the Rockville Sister City Corporation, presented a \$50 check to Michael Russ, the winner of the 1997 competition.

Re: Citizens Forum - This time is set aside to hear from any citizen who wishes to address the Mayor and Council.

1. Ellen Bosworth, Resident, Willows of Potomac Subdivision informed the Mayor and Council that representatives from American Communications planned to meet with the Willows residents to discuss their request to construct a cellular monopole on Glen Mill Road. Ms. Bosworth said that the community was committed to demonstrating that Glen Mill Road was not an appropriate site for the monopole because a special exception would be required to allow a setback for this type of structure. She said that the Willows community urged the Mayor and Council to consider how the proposed 160 foot structure would alter the appearance, character and property values in their neighborhood.

2. David Cohen, 100 Aberdeen Road said that unlike other utility bills, the City's water bills did not have the amount due printed at the top of the bill. He asked that the City consider reprinting the bills with the information.

3. Terry Baker, 30 Orchard Way South, (also a member of the City's Recreation and Park Advisory Board and Chairman of the Swim Center Advisory Committee). Regarding Agenda Item #10, Mr. Baker said that the Committee reviewed and endorsed the 1997-98 proposed fee adjustments.

4. Jim Vitol, President of the West End Citizens Association (WECA) presented to the Mayor and Council, copies of the Agreement between WECA and Hillrose for development of approximately 40 acres of the Chestnut Lodge property. Mr. Vitol said that Hillrose and WECA worked hard to reach the agreement and both parties believed that it will enhance the West End neighborhood and be a credit to the

developer. Mr. Vitol commended the process in which the developer worked with the neighborhood before the application was submitted, and he expressed appreciation to the Mayor and Council and City staff who insisted on the process. Mr. Vitol also expressed appreciation to Larry Owens (the City's former Chief of Planning, and WECA's attorneys Margaret McCulla and John Marshall, for their contributions to the success of the effort.

5. Barbara Sears, Attorney for Linowes and Blocher said she was present on behalf of Larry Goldstein of Hillrose, L.L.C., who could not be present due to a family commitment. She said that Mr. Goldstein expressed support for Mr. Vitol's comments. It was expected that the experience of working with the West End Citizens Association, would continue to be a positive one to achieve agreement on the applications.

6. Regina McAndrew, Chair of the Rockville Housing Authority (RHA) said that recent allegations against RHA were sensitive issues and were unfounded at the current time. Ms. McAndrew said that she understood that copies of the allegations were sent under the City Manager's signature to one the Housing Authority's community associations. The public was welcome to the information; however, Ms. McAndrew said that no one's interest was served by sending it to the community. Ms. McAndrew said that she hoped that in the future, the RHA and Mayor and Council could work together.

Re: Approval of Minutes

Upon motion of Councilmember Wright, duly seconded and unanimously passed, the Minutes of Meeting No. 01-97 (January 6, 1997) were approved as amended.

Upon motion of Councilmember Harrison, duly seconded and unanimously passed, the Minutes of Meeting No. 02-97 (January 7, 1997) were approved as amended.

Re: Consent Agenda

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the following Consent Agenda items were approved:

- (A) Approval of environmental consultant services
To: EA Engineering, Science and
Technology
Of: Hunt Valley, Maryland
In the amount of: \$55,000.00

For: Environmental Assessment of Watts
Branch Sewer Alignment Alternatives.

- (B) Award of Contract
To: Montgomery County Public Schools
In the amount of: \$50,450

For: Bus transportation for the City's Summer
Camp and Summer Playgrounds programs.

- (C) Award of Bid #58-97
To: Sunbelt Rentals
Of: Sterling, Virginia
In the amount of: \$16,725.00

For: Rental of Generators and Power
Equipment.

- (D) Award of Bid #59-97
To: Zambelli Internationale
Of: New Castle, PA
In the amount of: \$38,000.00

For: Fireworks displays for Hometown
Holidays and Independence Day.

Re: Discussion and Instructions to Staff -
Review of Montgomery County's
Amendment to FY 1997-2002 Capital
Improvements Program (CIP) to
develop comments for submission to
Montgomery County Council.

Community Development Director Neal Herst explained that the County Council held hearings on the County CIP at the end of January and were currently conducting worksessions. Comments will be accepted throughout the month of March. Mr. Herst said that the City's planning staff and the Planning Commission reviewed the CIP and recommended that the Mayor and Council endorse the recommendations outlined in the Commission's 3/7/97 memo. The Mayor and Council directed staff to make the following changes in the recommendations which will be submitted to the Montgomery County Council:

1. Request that funding be allocated for the Watts Branch Sewer project.
2. New Detention Center -
 - o Recommend that the new facility be located in a non-residential area and reiterate the City's support for building a new facility.
 - o Add a statement that the City was aware that there were other uses being considered for MCDC and that the City be involved in the process to consider and approve any other uses.
3. Facility Planning: Transportation -
 - o Stipulate that during the interim period of the King Farm build-out and prior to the transitway, transit services (bus) will be needed in order for the King Farm development project to continue.
 - o Encourage that transit be provided with the development so that new residents can establish a transit link to the Shady Grove station and other points.

- o Thought needs to be given to pedestrian access from the King Farm to the Metro station, across Rt. 355.
- 4. Education Project for the Wootton High School Addition -
 - o Strongly recommend support for the project and note that there is serious overcrowding currently in the high school.
 - o Address the traffic flow problem; the dangerous conditions which exist on Wootton Parkway along the school need to be resolved.
- 5. Other Projects -
 - o Mention Rockville's concerns about the traffic patterns that have occurred with the Montrose Crossing development.

Re: Approval of Rockville Municipal
Swim Center 1997-1998 Fee
Authorization

Recreation and Parks Director Burt Hall noted that Terry Baker and Mark Eldridge (of the Swim Center Advisory Committee) were present. Both the Recreation and Park Advisory Board and Swim Center Advisory Committee endorsed the 1997-98 proposed fee adjustments. Mr. Hall presented the proposed fee adjustments for the Rockville Municipal Swim Center 1997-98 Fee Authorization:

- Membership Fees - increase approximately 3%
- Admission Fees - no increase
- Class/Program Fees - increase 2-6%
- Pool Rentals - increase approximately 5%

Mayor Krasnow expressed a concern that the City's fee for a family annual membership and admission was considerably higher than surrounding jurisdictions. She said that this was noteworthy particularly since 40 percent of the Swim Center

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memberships were non-Rockville residents. Mr. Hall responded that while the fees were higher, the City offered a greater value which he felt was being recognized by Swim Center users. He also said that the City held the line on its fees for some time and it was unlikely that the City's competitive advantage would be negatively impacted with the proposed fee increase.

Ms. Krasnow remarked that during last year's Corporate Sports Event, she noticed the significant amount of traffic generated by the event. As the City planned this type of event, the neighborhood impact would have to be considered. Mr. Hall acknowledged the Mayor's concerns and he said that the event would be held at Rock Terrace this year as opposed to Welsh Park, which would put the desirable parking closer to the field events. He also said that fliers announcing the major special summer events were distributed to the neighborhood. The Mayor suggested that consideration be given to the idea of shuttling attendees from downtown parking sites to the Swim Center.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, the Rockville Municipal Swim Center 1997-1998 Fee Authorization was approved.

Re: Approval of Redgate Golf Course 1997-98 Fee Authorization

Mr. Hall presented the proposed fee adjustments for the Redgate Golf Course 1997-98 Fee Authorization. He also explained that staff recommended that Redgate adopt a "spikeless" policy which banned the wearing of metal spikes in order to improve playing conditions and to save wear and tear on the entire facility. Mr. Hall explained the details of how Redgate staff planned to transition Redgate users to spikeless shoes. The 1997-98 fees and spikeless policy was approved by the Recreation and Park

Advisory Board and the Redgate Advisory Subcommittee. Mr. Hall explained the proposed fee adjustments:

- Daily Greens Fees - increase \$1.00 per nine holes
- Annual Passes - increase 10%

In response to a question from Councilmember Wright, Mr. Hall said that the Revenue Authority that operated four of the City's major competitors, were also implementing the spikeless policy, effective July 1st. Mr. Hall said that due to the new design of golf shoes, it was not anticipated that the City would lose golf customers.

In response to a question from Councilmember Dorsey, Mr. Hall confirmed that the Redgate's pro shop had adequate resources to make enough spikeless sets available to every user who needed them.

Mayor Krasnow expressed the concern of an elderly golfer who said that spikeless shoes were slippery. Mr. Hall said that the technology for spikeless units greatly improved over time. He noted that staff was closely monitoring the safety and liability issue of spikeless shoes. Mayor Krasnow asked that staff keep the Mayor and Council updated on any feedback received from golfers. Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, the Redgate Golf Course 1997-98 Fee Authorization was approved.

Re: FYI/Correspondence

1. Councilmember Dorsey commented on a letter commending Thomas E. Thomas and the Citizen Request Service system. Mr. Dorsey said that he was pleased with the way Mr. Thomas handled the CSR system, which he said was an excellent City program which more citizens needed to take advantage of.

Re: New Business

1. Councilmember Marrinan said that during the evening's Drop-In session, resident Adalaide Alter reported on the continued problem of speeding on Nelson Street. Mr. Marrinan said that issue had been with the Mayor and Council for at least 8 years, and a number of solutions had not yet resolved the problem. It appeared that there were now a number of drivers cutting through Nelson Street to get to the new Chinese supermarket on North Washington Street and creating a significant increase in traffic and speed. Mr. Marrinan noted that the Traffic and Transportation Commission recommended that speed humps not be installed on Nelson Street and other major streets. Mr. Marrinan said that there was an obvious safety concern because a number of accidents had already occurred on Nelson. He encouraged staff to review the issue and get the problem resolved.

Councilmember Harrison said that he was looking forward to the Mayor and Council's Worksession with the Traffic and Transportation Commission. He said that in reading staff's and the Commission's recommendation on speed humps, he initially did not find it entirely satisfactory. Mr. Marrinan asked whether speed and traffic count data could be obtained for Nelson and other streets in the same category.

Mayor Krasnow said she noticed that speed humps were recently installed on Bauer Drive which was a major street. The humps were placed approximately every 60 feet and Ms. Krasnow inquired whether there were statistics about the effectiveness of broader placed speed humps on a major street that would slow down traffic without causing havoc to emergency vehicles. Councilmember Dorsey suggested that staff look

into the use of a device similar to rumble strips which, when strategically placed, seemed to be an effective way of slowing down traffic.

2. Mayor Krasnow said that in attending many City events over the past few months, there were certain businesses that contributed generously and regularly to City events as well as providing for other functions. She suggested that a list of these be established so that the Mayor and Council could formally express their appreciation to those businesses.

6. Councilmember Dorsey noted that at the 2/24/97 General Session, there was considerable discussion about the problem of panhandlers loitering around the Metro station. He noted from the subsequent follow up on the issue, that it was determined that the offenders were part of a group of panhandlers that who visited various Metro stations and were not actually the residents of the local homeless shelters as Mr. Bradley had reported during the February 24th General Session. Mayor Krasnow added that this concern was expressed at the recent Caregivers Coalition meeting. The shelter representatives were concerned that the wrong perception was put forth as the truth.

Re: Adjournment to Executive
Session

Upon motion of Councilmember Wright, duly seconded and unanimously passed, with Mayor Krasnow and Councilmembers Dorsey, Harrison, Marrinan, and Wright voting "aye," the Mayor and Council adjourned to Executive Session at 8:57 p.m. pursuant to Section 10-508(a)(12) and (7) of the State Government Article, Annotated Code of Maryland, to discuss an investigative proceeding on possible criminal conduct and to consult with counsel to obtain legal advice.